

REMARKS

Claims 95-98, 104, 114-118 and 121 stand rejected under 35 U.S.C. §103(a) as being anticipated by U.S. Patent Publication No. 2005/0102199 naming Lee as inventor (“Lee”) in view of U.S. Patent No. 5,867,709 issued to Klencke (“Klencke”).

The above amendments add no new matter. Support for the amendments may be found, for example, in para. 0061 of the original Specification. While not conceding that the cited reference qualify as prior art, but instead to expedite prosecution, Applicant has elected to respond to the pending rejections as follows. The following arguments are made without prejudice to Applicant’s right to establish, for example in a continuing application, that one or more of the cited references do not qualify as prior art with respect to an invention embodiment currently or subsequently claimed. Applicant respectfully submits that the claims are patentable and requests reconsideration of the pending rejections in view of the above amendments and the following remarks.

In order for a claim to be rendered invalid under § 103(a), the subject matter of the claim as a whole would have to be obvious to a person of ordinary skill in the art at the time the invention was made. This requires that the combination of references must teach or suggest all the claim limitations. (*See, e.g., Manual of Patent Examining Procedure* (“MPEP”) (Ed. 8, Rev. 5, Aug. 2006), §§ 2143, 2143.02, and 2143.03; *In re Rouffet*, 149 F.3d 1350, 1355-56 (Fed. Cir. 1998).) Applicant respectfully submits that the claims are patentable under § 103(a) because the cited portions of the references fail to disclose each limitation of the pending claims.

Claim 95 includes a fourth logic block to add a customizable class rule to the customizable product class. **The customizable class rule prohibits the selection of one or more component products for addition to the customizable product after selection of a**

specific component product for addition upon selection of a specific component product for addition to the customizable product. The cited portions of the references fail to show these limitations, at least because the cited portions do not disclose a customizable class rule that requires selection of one or more components.

With regard to these limitations, the Office Action cites the passages from the following paragraphs of *Lee*:

[0063] The user may initiate the customization process by selecting the customizable components of the computer system 790. The customization process may utilize a menu or forms based approach, including use of menus and sub-menus. In another example, as illustrated in FIG. 6, the customization process may utilize a visual approach to customize the customizable components of the product. For example, the vendor may visually depict the computer system on a client system 106 screen, and the user may select images of the customizable components for customization. As noted above, the visual based approach to product customization process may identify, with the use of color, animation, etc., all customizable components of a product. The user may click on an image of a customizable component for further selection and/or specification.

[0064] Using a hierarchical approach in the selection process, the environment related selections may specify a country where the computer may be installed, thereby specifying the power voltage/frequency requirements, telephone requirements, audio/video requirements, language preferences, etc. The hardware selections may include all boards for the computer system 790, including motherboard, memory board, I/O boards, etc., storage devices and then branching out to the peripheral devices such as printer 750, etc. The software selections may include the type of operating system, the type of web browser, optional application software, etc.

(*Lee* at para. 64.)

These passages teach that a user may make various selections or specifications for a computer system, such as environment related selections, hardware selections, and software

selections. Some selections may dictate other selections, as evidenced by the above discussion of an environment related selection that specifies a country where the computer may be installed. This specifying automatically specifies other requirements, such as power voltage/frequency requirements, telephone requirements, audio/video requirements, and language preferences.

However, the cited passages do not teach or fairly suggest prohibits the selection of one or more component products for addition to the customizable product after selection of a specific component product for addition upon selection of a specific component product for addition to the customizable product. The cited passages teach that specifying a country where a computer may be installed “thereby specif[ies]” the associated requirements of power voltage/frequency requirements, telephone requirements, audio/video requirements, and language preferences.

Applicant respectfully submits that at least for these reasons, independent claim 95 and all claims dependent therefrom are allowable over the cited portions of the references. Accordingly, Applicant respectfully requests that the rejections under § 103(a) be withdrawn.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5093.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,



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